

**IN UNITED STATES DISTRICT COURT OF ILLINOIS
NORTHERN DISTRICT OF ILLINOIS - EASTERN DIVISION**

BRANDON HUDSON,

Plaintiff,

v.

KIMBERLY M. FOXX, Cook County State Attorney in her Official and Individual Capacity; COOK COUNTY STATE ATTORNEY'S OFFICE; COOK COUNTY, ILLINOIS; JENNIFER WALKER-COLEMAN, in her official and individual capacity as Division Chief of Staff; JENNIFER BALLARD-CROFT, in her official and individual capacity as Chief of Staff; JOAN PERNECKE, in her official and individual capacity as Division Chief; EMILY COLE, in her Official and individual capacity as Supervisor; and MARY JOLY STEIN, in her official and individual capacity as Supervisor;

Defendants.

Civil Action Number 18 CV 08243

Hon. Andrea R. Wood

**MOTION TO VOLUNTARILY
DISMISS WITHOUT PREJUDICE
RULE 41(a)(2)**

PLAINTIFF'S MOTION TO VOLUNTARILY DISMISS WITHOUT PREJUDICE

NOW COMES plaintiff, BRANDON HUDSON, by his attorney, SIVONNIA DEBARROS and moves this Court to grant Plaintiff's Motion to Voluntarily Dismiss pursuant to F. R. 41(a)(2), and states the following in support thereof:

1. Rule 41 (a)(2) states in part that "an action may be dismissed at the plaintiff's request only by court order, on terms that the court considers proper."
2. Rule 41(a)(2) further states that "Unless the order states otherwise, a dismissal under this paragraph (2) is without prejudice."
3. On March 31, 2021, this Honorable Court rendered a decision on the First Amended Complaint (FAC) dismissing certain counts and parties ("official capacities") with prejudice, and dismissing other claims without prejudice.

4. Plaintiff's counsel filed a Motion to Extend for a short extension to file the Second Amended Complaint (SAC) on April 21, 2021.

5. However, Plaintiff's counsel is unable to file a SAC and has communicated this to the Plaintiff.

6. Therefore, Plaintiff is seeking leave to voluntarily dismiss this complaint with leave to re-instate within a reasonable time to be determined by the Court.

WHEREFORE, Plaintiff, BRANDON HUDSON, moves this Court for an order allowing a Voluntary Dismissal without prejudice as ordered by this Court.

Date: April 21, 2021

Brandon Hudson,
Plaintiff,

By: /s/Sivonnia DeBarros
Plaintiff's Counsel

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